

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

SIG SAUER, INC.)	
)	
Plaintiff,)	
)	
v.)	No. 1:14-cv-00147-PB
)	
THOMAS E. BRANDON, Acting Director,)	
Bureau of Alcohol, Tobacco, Firearms)	
and Explosives,)	
)	
Defendant.)	

JOINT MOTION TO EXTEND
DEADLINES AND TRIAL DATE

Pursuant to Rule 7.1 of the Local Rules of the United States District Court for the District of New Hampshire, Plaintiff, SIG SAUER Inc. (“Sig Sauer”), by and through its counsel, McLane, Graf, Raulerson & Middleton, Professional Association, and attorney Stephen P. Halbrook, joined by Defendant, Thomas E. Brandon, Acting Director, Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”)¹ respectively request that this Court extend the remaining deadlines and trial date for a period of sixty (60) days. In support of this motion, the Parties state as follows:

1. This action is brought pursuant to the Administrative Procedure Act, 56 U.S.C. § 701 et seq., and the Declaratory Judgment Act, 28 U.S.C. § 2201(a), concerning the classification of a product under the Gun Control Act, 18 U.S.C. § 921 et seq. Such reviews are typically resolved on motions based on the administrative record.

2. The Parties filed their respective motions for summary judgment on January 9, 2015. Objections to these motions were filed February 9, 2015, and each Party’s reply to the

1 Error! Main Document Only. Thomas E. Brandon became the Acting Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives on April 1, 2015, replacing B. Todd Jones, Director. Pursuant to F.R.Civ.P. 25(d), Brandon is automatically substituted as the defendant.

objections were filed on or around March 1, 2015.

3. The Plaintiff also requested oral arguments on the motions, though a date for oral arguments has not yet been scheduled. Correspondingly, a decision as to the dispositive motions remains pending.

4. The trial is scheduled for the two week period beginning June 2, 2015, with associated deadlines including pretrial materials on May 4, 2015, and a final pretrial conference on May 22, 2015.

5. The Parties do not wish to unnecessarily delay the proceedings, but acknowledge that trial preparations related to the approaching deadlines may be rendered unnecessary once the Court rules on the dispositive motions.

6. To this end, in the interest of judicial economy, the Parties wish to extend the deadlines and trial date in this matter by sixty (60) days.

7. We request that the new deadline for pretrial materials be on July 3, 2015, the final pretrial conference be set for July 21, 2015, and the trial be held in the two week period beginning August 3, 2015.

8. No memorandum of law is necessary because the relief requested in this motion rests within the discretion of the Court.

WHEREFORE the Parties respectfully request that this Honorable Court:

- a. Grant this Joint Motion;
- b. Extend the deadlines and trial date by a period of 60 days; and
- c. Grant such further relief as may be just, equitable, and appropriate.

Respectfully submitted,

SIG SAUER Inc.

By its attorneys,

McLANE, GRAF, RAULERSON & MIDDLETON,
PROFESSIONAL ASSOCIATION

Date: April 29, 2015

By: /s/ Stephen P. Halbrook
Stephen P. Halbrook, *Pro hac vice*
Suite 403
3925 Chain Bridge Road
Fairfax, Virginia 22030
(703) 352-7276
protell@aol.com

/s/ Mark C. Rouvalis
Mark Rouvalis, NH Bar No. 6565
900 Elm Street, P.O. Box 326
Manchester, New Hampshire 03105
(603) 625-1329
mark.rouvalis@mclane.com

/s/ Kenton J. Villano
Kenton J. Villano, NH Bar No. 21220
900 Elm Street, P.O. Box 326
Manchester, New Hampshire 03105
(603) 628-1180
kenton.villano@mclane.com

THOMAS E. BRANDON, Acting Director

By its attorneys,

UNITED STATES ATTORNEYS OFFICE

Date: April 29, 2015

By: /s/ T. David Plourde
T. David Plourde, NH Bar No. 2044
Chief, Civil Division

United States Attorney's Office
District of New Hampshire
55 Pleasant Street
Concord, N.H. 03301
(603) 230-2538
david.plourde@usdoj.gov